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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,761	12/04/2003	Rodney R. Kamarad	Kamarad-CIP	4191

7590 04/21/2004  
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EXAMINER

COTTINGHAM, JOHN R

ART UNIT PAPER NUMBER

3679

DATE MAILED: 04/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/726,761	KAMARAD ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	John R. Cottingham	3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                                       |                                                                                        |
|-----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                           | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____                                                |

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Buechele U.S. Patent 1,000,774. Buechele shows all of the claimed subject matter of a fence1-2.

Regarding claim 1, a fence post 1 for quick fence wire connection adapted for receiving a portion of a first strand offence wire and holding the fence wire thereon, the fence wire connection comprising: a vertical fence post 1 with a first pair of horizontal studs 2 in one side of said post; first vertical pinholes 3 in said first pair of horizontal studs; a first wire gap disposed between said first pair of horizontal studs 2, said first wire gap adapted for receiving a portion of the first strand offence wire therein; and a first locking pin 4 received in said first vertical pinholes 2 and above said first wire gap, said first locking pin 5 adapted for holding the portion of the first strand offence wire in said wire gap.

Regarding claim 2, wherein said first locking pin 5 is an inverted "L" shaped first locking pin.

Regarding claim 3, wherein said first vertical pinholes 3 are parallel and indexed with each other in said first pair of horizontal studs 2.

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Regarding claim 4, wherein said first pair of horizontal studs 2 have a side profile of a rectangular geometric shape, said first pair of horizontal studs 2 including a vertical base (curved part under the horizontal part) integrally attached to the side of said post and parallel to a vertical top, said first pair of studs having an upper side parallel to a lower side.

Regarding claim 5, further including a second pair of horizontal studs 2 in one side of said post and disposed below said first pair of horizontal studs 2, said second pair of horizontal studs having second vertical pinholes 3 therein for receiving a second locking pin 5 therethrough and a second wire gap between said second pair of horizontal studs 2, said second wire gap adapted for receiving a portion of a second strand offence wire therein.

Regarding claim 6, wherein said first wire gap and said second wire gap have an equal space between said first pair of horizontal studs 2 and between said second pair of horizontal studs 2.

Regarding claim 7, further including a third wire gap disposed between said first pair of horizontal studs 2 and said second pair of horizontal studs 2, said third wire gap having a space equal to said first and second wire gaps, said third wire gap adapted for receiving a portion of a third strand offence wire therein.

Regarding claim 8, wherein said second pair of horizontal studs 2 have a side profile of a rectangular geometric shape, said second pair of horizontal studs 2 including a vertical base (curved portion) integrally attached to the side of said post and parallel to

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a vertical top, said second pair of horizontal studs also including an upper side parallel to a lower side.

Regarding claim 9, a fence post 1 with quick fence wire connection adapted for receiving a portion of first and second strands offence wire and holding the fence wire thereon, the fence wire connection comprising: a fence post 1 with a first pair of horizontal studs 2 in one side of said post 1; first vertical pinholes 3 in said first pair of horizontal studs 2; a first wire gap disposed between said first pair of horizontal studs 2, said first wire gap adapted for receiving a portion of the first strand offence wire therein; a first locking pin 4 received in said first vertical pinholes 3 and above said first wire gap, said first locking pin adapted for holding the portion of the first strand offence wire in said first wire gap; a second pair of horizontal studs 2 in the one side of said post and disposed below said first pair of horizontal studs 2; second vertical pinholes 3 in said second pair of horizontal studs; a second wire gap between said second pair of horizontal studs, said second wire gap adapted for receiving a portion of a second strand offence wire therein; and a second locking pin 5 received in said second vertical pinholes and above said second wire gap, said second locking pin 5 adapted for holding a portion of the second strand of wire fence therein.

Regarding claim 10, wherein said first and second locking pins 5 are inverted "L" shaped first and second locking pins.

Regarding claim 11, wherein said first and second vertical pinholes 3 are parallel and indexed with each other in said first and second pair of horizontal studs 2.

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Regarding claim 12, wherein said first wire gap and said second wire gap have an equal space between said first pair of horizontal studs 2 and between second pair of horizontal studs.

Regarding claim 13, further including a third wire gap disposed between said first pair of horizontal studs and said second pair of horizontal studs 2, said third wire gap adapted for receiving a portion of a third strand of fence wire therein.

Regarding claim 14, wherein said first and second pairs of horizontal studs 2 include a vertical base (curved portion) integrally attached to the side of said post and parallel to a vertical top.

Regarding claim 15, a fence post with quick fence wire connection adapted for receiving a portion of a first strand of fence wire and holding the fence wire thereon, the fence wire connection comprising: a fence post 1 with a first pair of horizontal studs 2 integrally formed in one side of said post, said first pair of horizontal studs 2 including a vertical base (curved portion of stud connecting it to the vertical post) integrally attached to the one side of said post and parallel to a vertical top, said studs 2 also including an upper side parallel to a lower side;

first vertical pinholes 3 in said first pair of horizontal studs 2, said pinholes 3 parallel and indexed with each other; a first wire gap disposed between said first pair of horizontal studs 2 and adjacent the vertical base of said first pair of studs, said first wire gap adapted for receiving a portion of the first strand of fence wire therein; and an inverted "L" shaped first locking pin 5 received in said first vertical pinholes and above said first

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wire gap, said first locking pin adapted for holding the portion of the first strand offence wire in said wire gap.

Regarding claim 16, further including a second pair of horizontal studs 2 integrally formed in one side of said post and disposed below said first pair of horizontal studs 2, said second pair of horizontal studs 2 having second vertical pinholes therein for receiving a second inverted "L" shaped locking pin 5 therethrough, said second pair of studs including a vertical base integrally attached to the one side of said post 1 and parallel to a vertical top, said second pair of studs 2 also including an upper side parallel to a lower side and a second wire gap disposed between said second pair of horizontal studs 2 and adjacent the vertical base of said studs, said second wire gap adapted for receiving a portion of a second strand offence wire therein.

Regarding claim 17, wherein said first wire gap and said second wire gap have an equal space between said first pair of horizontal studs and between second pair of horizontal studs.

Regarding claim 18, further including an third wire gap disposed between said first pair of horizontal studs 2 and said second pair of horizontal studs 2, said third wire gap having an equal space with said first and second wire gaps, said additional wire gap adapted for receiving a portion of a third strand offence wire therein.

Regarding claim 19, wherein said second vertical pinholes 3 are parallel and indexed with each other in said second pair of horizontal studs 2.

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Regarding claim 20, further including a third pair of horizontal studs 2 integrally formed in one side of said post and disposed below said second pair of horizontal studs 2, said third pair of horizontal studs 2 having third vertical pinholes 3 therein for receiving a third inverted "L" shaped locking pin 5 therethrough, said third pair of horizontal studs 2 including a vertical base (curved portion attaching horizontal studs 2 to the post 1) integrally attached to the one side of said post and parallel to a vertical top, said third pair of studs also including an upper side parallel to a lower side.

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Synder U.S. Patent 1,075,988, Morrissey U.S. Patent 2,836,397, and Eby et al. U.S. Patent 4,905,968 show similar inventions.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to John R. Cottingham whose telephone number is (703) 306-3439. The examiner can normally be reached on Monday - Thursday, alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne H. Browne can be reached on (703) 308-1159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



John R. Cottingham  
Primary Examiner  
Art Unit 3679

jrc